

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

WILLIAM SADLEIR,

Defendant.

20 Cr. 320 (PAE)


ORDER

PAUL A. ENGELMAYER, District Judge:

On May 14, 2021, defendant William Sadleir filed a motion to suppress the fruits of search warrants for two email accounts associated with Mr. Sadleir. Dkt. 32. On July 15, 2021, the Government notified the Court, via an emailed letter, which is attached to this Order, that it does not intend to introduce the fruits of those warrants at trial, and that Mr. Sadleir's motion is therefore moot. Given the Government's representation that it will not introduce at trial any fruits of the two search warrants that were the subject of Mr. Sadleir's motion to suppress, the Court denies Mr. Sadleir's motion as moot, without prejudice to Mr. Sadleir's right to renew that motion should the Government's position change.

The Clerk of Court is respectfully directed to terminate the motion pending at docket 32.

SO ORDERED.


PAUL A. ENGELMAYER
United States District Judge

Dated: July 16, 2021
New York, New York



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 15, 2021

BY ECF AND EMAIL

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007
EngelmayerNYSDChambers@nysd.uscourts.gov

Re: *United States v. William Sadleir*, 20 Cr. 320 (PAE)

Dear Judge Engelmayer:

The Government writes concerning the defendant's motion to suppress the fruits of search warrants (the "Warrants") for an Apple iCloud account associated with the email address wsadleir@avironpictures.com and a Google account associated with the email address groupmms212@gmail.com. See Dkt. 32. The Government respectfully disagrees with the defendant's arguments, and submits that the affidavit provided in support of the Warrants established probable cause for them. Also, the defendant has failed to establish standing for his motion. See, e.g., *United States v. Montoya-Eschevarria*, 892 F. Supp. 104, 106 (S.D.N.Y. 1995) ("The law is clear that the burden on the defendant to establish standing is met only by sworn evidence, in the form of affidavit or testimony, from the defendant or someone with personal knowledge. The defendant's unsworn assertion of the Government's representations does not meet this burden."). However, based on the Government's review of the materials provided by Google and Apple, the Government does not intend to introduce the fruits of the Warrants at trial in this case. As a result, the defendant's motion to suppress is moot.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

by: /s/
Jared Lenow
Assistant United States Attorney
(212) 637-1068

cc: Matthew L. Schwartz (via email)